

### REMARKS

In response to the restriction requirement made in the office action, Applicants elect, with traverse, the invention of Group I, matrix claims 1-13 and 50, for prosecution in this application. In addition, applicants elect certain species to assist the Examiner in conducting a prior art search for the invention. In particular, applicants elect (1) polysaccharides as recited in claim 6 as a particular auxiliary component, (2) hyaluronic acid as recited in claim 7 as an additional auxiliary component, (3) chondrocytes as recited in claim 10 as a cell type, and (4) growth factor as recited in claim 12 as a bioactive agent. In view of this election, at least claims 1-13 and 50 should be examined at this time. Applicants expressly reserve their right to file one or more divisional applications for the subject matter of original claims 14-49.

In addition, applicants have amended claims 14-47 to depend from the elected claim grouping. In particular, claims 14, 23 and 34 have been amended to product by process format, so that each one recites a preferred method for making the matrix of claim 1. Also, claim 47 has been amended to include the matrix of claim 14. These claim amendments are fully supported by the specification so that there is no issue of new matter in entering them at this time. Accordingly, these claims should also be examined with the Group I claims.


Finally, claims 48-49 are directed to a method of use of the implant of claim 47. As these claims recite a use of the product of claim 47, they include all the patentable features of that claim. Accordingly, as noted in the office action, claims 48-39 should be re-joined with the other claims when claim 47 is allowed.

Thus, claims 1-47 and 50 should be examined at this time. It is believed that the entire application is now in condition for allowance, early notice of which would be appreciated. This being the case, all current claims should be allowed.

Any questions regarding this matter should be directed to the undersigned.

Respectfully submitted,

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Date

  
Allan A. Fanucci (Reg. No. 30,256)

**WINSTON & STRAWN LLP**  
**Customer No. 28765**  
212-294-3311